



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

March 18, 2023

**BY ECF AND EMAIL**

Honorable Paul G. Gardephe  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007-1312

**Re: *United States v. Vitaly Borker*, 17 Cr 391 (PGG)**

Dear Judge Gardephe:

The Government writes with the consent of the defendant to request a brief adjournment of the sentencing date in the above-captioned matter. The sentencing in this violation of supervised release proceeding is presently scheduled for May 3, 2023, at 10:00 a.m., with sentencing submissions due to the Court on April 28, 2023.<sup>1</sup> The undersigned attorney for the Government is scheduled to begin a trial before Judge Castel on May 2, 2023. The Government expects the trial to last approximately one week. The parties therefore request that the sentencing be adjourned until the week of May 15, 2023 and that the deadline for sentencing submissions be updated accordingly.

**MEMO ENDORSED:**

The sentencing currently scheduled for May 3, 2023, is adjourned to **May 17, 2023, at 10:30 a.m.** Any submissions on behalf of the Defendant are due on **May 3, 2023**, and any submission by the Government is due on **May 10, 2023**.

SO ORDERED.

Paul G. Gardephe  
United States District Judge

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:

Matthew Weinberg  
Assistant United States Attorney  
(212) 637-2386

Dated: March 21, 2023

<sup>1</sup> As the Court is aware, the defendant is scheduled to be sentenced by Judge Rakoff in connection with the wire fraud conviction giving rise to this violation of supervised release on April 21, 2023 at 10:00 a.m. See 22 Cr. 273 (JSR).